

MESSAGE NO: 6361225 MESSAGE DATE: 12/27/2006

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-849

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/01/2004 TO 10/31/2005

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTION FOR CUT-TO-LENGTH CARBON STEEL PLATE FROM
THE PEOPLE'S REPUBLIC OF CHINA PRODUCED BY CHINA METALLURGICAL IMP&EXP
LIAONING CO. (A570-849-003)

MESSAGE NO: 6361225

DATE: 12 27 2006

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 849

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PERIOD COVERED: 11 01 2004 TO 10 31 2005

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTION FOR CUT-TO-LENGTH CARBON STEEL
PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA PRODUCED BY
CHINA METALLURGICAL IMP&EXP LIAONING CO. (A570-849-003)

1. FOR ALL SHIPMENTS OF CUT-TO-LENGTH CARBON STEEL PLATE FROM
THE PEOPLE'S REPUBLIC OF CHINA PRODUCED BY CHINA METALLURGICAL
IMPORT & EXPORT LIAONING COMPANY, AND ENTERED OR WITHDRAWN FROM
WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 11/01/2004 THROUGH
10/31/2005, ASSESS AN ANTIDUMPING LIABILITY OF 128.59 PERCENT OF
THE ENTERED VALUE.

2. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT

REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA PRODUCED BY CHINA METALLURGICAL IMPORT & EXPORT LIAONING COMPANY, ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION

DURING THE PERIOD 11/01/2004 THROUGH 10/31/2005, ENTERED UNDER CASE NUMBER A-570-849-003, AND NOT COVERED BY PARAGRAPH ONE, ASSESS ANTIDUMPING DUTIES AT THE PRC-WIDE RATE IN EFFECT ON THE DATE OF ENTRY. THE PRC-WIDE RATE FOR CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA IS 128.59 PERCENT.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 11/01/2004 THROUGH 10/31/2005 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (71 FR 75710, 12/18/2006). FOR ALL OTHER SHIPMENTS OF CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O8:JHC).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THE INFORMATION CONTAINED IN THIS E-MAIL MESSAGE.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party